

SHANGHAI MUNICIPAL POLICE

CROSS-REFERENCE SLIP

Sp. Br. Registry OFFICE

FILE NO. *D 744/19*

SUBJECT:

Confidential

[illegible]

Assault Case in Police Court Dismissed by H.M. Registrar

THE case against Mr. D. G. J. Keet, who was charged by Mrs. E. C. Palmer-Baker with having struck her on the face with his closed fist on the evening of June 19, was dismissed in H.M. Police Court yesterday when Mr. C. H. Haines, Registrar, found the defendant not guilty of the charge. Thus, the case of a couple of unneighbourly "neighbours" in Passage 316, Route Paul Legendre, was brought to a close.

Unlike the first session, in which Mrs. Palmer-Baker attempted to conduct her own case, the complainant was represented by Mr. Rapaid McDonald yesterday. Mr. E. L. Hartopp appeared for defendant.

In his summing-up, Mr. Haines said that he was struck by the fact that complainant was an excitable person and that it was possible that she had thought that she had been struck while she was struggling to close her garden gate on the defendant. The injury was of such a nature that it was quite possible that she could have been struck by the gate on its rebound. Mr. Haines referred to the evidence of complainant's amah in which witness had said that the mark was pink on the next morning.

Mr. Hartopp's request for costs in favour of the defendant, who he said "was not very blessed in the world," was not granted by the Registrar.

Mrs. M. Cock was the first witness called yesterday and she testified that she was at Mrs. Palmer-Baker's home, together with Mrs. M. E. Paus, on June 19, leaving the house soon after the evening news broadcast at 8 p.m. Mrs. Palmer-Baker was perfectly well and happy when they left her.

Telephone Call Received

As soon as she got home, however, Mrs. Cock received a telephone call from Mrs. Palmer-Baker, asking her to come back. The witness immediately telephoned Mrs. Paus and they returned. The plaintiff, according to witness, had her right cheek red and swollen.

Mrs. Paus testified that she and Mrs. Cock had tea with plaintiff and that they stayed there till a little after 8.15 p.m. There was nothing wrong with Mrs. Palmer-Baker's face when they left her. Mrs. Paus then took Mrs. Cock home.

A few minutes after her arrival at home, Mrs. Paus answered a telephone call from Mrs. Cock. She took out her car and fetched Mrs. Cock. Together they went to Mrs. Palmer-Baker's home and witness noticed that the plaintiff's right cheek had blue marks and that she appeared pale and excited.

She then took plaintiff and Mrs. Cock to a police station and left her there.

Cross-examined by Mr. Hartopp with regard to the marks Mrs. Paus said she could not be sure whether they were red or blue when she first took her to see. The marks, however, were definitely blue when she saw them.

Defendant Gives Evidence

Defendant was next in evidence in the box. Questioned by Mr. Hartopp, Mr. Keet stated that he was a Chinese, residing at Passage 316, Route Paul Legendre, House 2. He said that he was a quiet person and that he was not used to having people in his house. He said that he was not used to having people in his house and that he was not used to having people in his house.

face. Defendant then caught the door and made an attempt to reason with her, adding that Mrs. Palmer-Baker started shouting at him, telling him that she did not wish to speak with him and calling him a "big bully."

Seeing it was hopeless to continue, defendant released the door (perhaps a little too suddenly) and walked away. He then heard Mrs. Palmer-Baker come out, shouting "Now you've hit me, eh?" and "I'll call the police. I'll send you to prison."

Defendant saw her pointing to her right cheek and saw that it was smudged. After telling her that he did not hit her, the defendant turned away. A minute or so later, as he was proceeding to the tram stop near the I.S.S. Apartments in Avenue Joffre, he saw her running toward Route Loriaux, shouting in Chinese, "A foreigner hit me."

Wanted to Settle Affair

Cross-examined by plaintiff's lawyer, Mr. Keet stated that he knew that she did not want to see him or talk with him, having on previous occasions thrown his letters over the fence, but added that he had to settle the affair and that this was a good opportunity to do so. The trouble, it appeared, started over some alterations made to her house by Mrs. Palmer-Baker, which resulted in the back gate being continually open, leaving Mr. Keet's yard open to petty thieves.

Giving evidence in the afternoon, Mrs. Mary M. Keet corroborated much of what her husband had said. She had seen her husband trying to get a word with Mrs. Palmer-Baker; she had witnessed the episode at the gate; and later, after complainant had received her alleged assault, she had seen Mrs. Palmer-Baker swing open the gate and "spring out like a cat, livid in the face and malice in her eyes."

At this point, Mr. Haines interrupted, "I can't quite understand what you mean by 'malice in her eyes.'"

Mrs. Keet explained: "The looked very, very wicked."

Garden Gate Never Wide Open

In giving his evidence, Mr. Keet stated that the gate was not wide open and that it was not under any circumstances. He said that he was not used to having people in his house and that he was not used to having people in his house.

"He Bit My Dog's Eye," Witness Sobs

Briton Faces Court For Assaulting Elderly Lady

Mr. D. G. J. Keet, Briton, was charged with assaulting and hitting Mrs. Evelyn Catherine Palmer-Baker, nearly in tears maintained that she was hit by the defendant. C. H. Haines in the British Police Court yesterday. Mr. Keet pleaded not guilty to the charge and the case was adjourned to Monday 10 a.m. pending medical evidence in connection with the alleged assault. Mr. Palmer-Baker, an elderly woman, claimed that Mr. Keet hit her with a clenched fist at 8.30 p.m. June 19, when, after escorting her friends out of her house, 316 Route Paul Legendre, House 3, she met Mr. Keet, who blamed her for not closing the gate of the lane and hit her on the right cheek with a clenched fist.

She further claimed that she rushed out to call a policeman, but as she could not find one, she went to the Avenue Petain Police Station, and then went to the Country Hospital where she obtained a medical certificate from Dr. Bowan. Cross-examined by Mr. E. L. Hartopp, defense attorney, Mrs. Palmer-Baker admitted that in that lane there were three houses, owned by the occupants, and that the path between the houses was enclosed by a gate which was closed because of the numerous thefts in that district. On the night of the alleged assault, Mr. Hartopp suggested, Mr. Keet met Mrs. Palmer-Baker and wanted to speak with her. Instead of answering, she walked past him and slammed her garden gate at him, and that it was not a punch from Mr. Keet that bruised her face, but that it was the gate when it bounced back on her. Mrs. Palmer-Baker, nearly in tears maintained that she was hit by the defendant. Mr. Hartopp hinted that relations between the two neighbors, were strained, and told the complainant that in view of her state of nervousness she imagined that Mr. Keet had hit her, and asked her to reconsider her statements. Mrs. Palmer-Baker at this point openly cried, and in a choking voice said, "I have been ill since Mr. Keet moved into the house next to mine."

Magistrate Haines told Mrs. Palmer-Baker to rest, and five minutes later Mr. Hartopp resumed his cross-examination. At this point the complainant was beginning to get confused, and said that Mr. Keet kept bees, and that "he bit my dog in the eye". People in the courtroom chuckled.

"I understand that you keep a savage dog," Mr. Hartopp stated. "He is my Scotty, and I love him," Mrs. Palmer-Baker replied. Continuing Mrs. Palmer-Baker said, "Mr. Keet told the police on me, when I started building a new window." Mrs. Palmer-Baker's aman testified that she saw a bruise of her employer's cheek, but stated that she did not see Mr. Keet hit her mistress. Before concluding, Registrar Haines told Mrs. Palmer-Baker that she could ask Dr. Bowan to testify for her, and adjourned the case to 10 a.m. Monday pending Dr. Bowan's testimony.

Briton Faces Assault Charge

A story of continual animosity between two next-door neighbours that finally led to an alleged assault was unfolded in H. M. Police Court yesterday before Registrar C. H. Haines when Mrs. E. C. Palmer-Baker filed a charge of assault against Mr. D. G. J. Keet, accusing the latter of having struck her on the face with his closed fist. The assault was said to have taken place on the evening of June 19 at the entrance of the complainant's home in Passage 316, 3 Route Paul Legendre.

Mr. Haines adjourned the hearing to next Monday in order that the complainant may call in witnesses to provide medical evidence.

Throughout yesterday's session, the complainant, an elderly woman, showed signs of evident distress and, at one stage of the cross-examination by the defendant's counsel, she broke down into tears. Mrs. Palmer-Baker was not represented in court; she was unfamiliar with the routine of the court and on numerous occasions she had to be enlightened on matters of legal procedure by the Registrar. Defendant was represented by Mr. E. L. Hartopp and pleaded not guilty.

Long-Standing Friction

The two principals in yesterday's case were next-door neighbours in Passage 316 of 3 Route Paul Legendre and it was revealed in court that friction between the two parties had been of long standing. It was brought out that Mrs. Palmer-Baker and Mr. Keet had been at logger-heads on various matters; they had disagreed on the right of way to the passage; complainant had objected to the flowers of the defendant growing into her garden; she had also objected to Mr. Keet's placing several boxes of bees on their common fence; on the other hand, defendant had disapproved of

the gate to the passage being left opened; it was also the contention of the complainant that Mr. Keet had "told on her" when he informed the French police of her building operations which she had begun without obtaining permission.

It was this series of grievances which was said to have led to the assault that took place at about 8.20 on the evening of June 19. According to Mrs. Palmer-Baker's evidence, she had seen a couple of lady friends to the main gate of the passage. On the way back to her own house, Mr. Keet ran out of his house and shouted, "Why did you leave the gate open?" Complainant said she paid no notice to him as the gate was already closed.

Police Informed

Thereupon, as she entered her own gate and before she could bolt it, defendant forced open the gate and struck her on the right cheek. She telephoned the matter to the French Police and they took her to the Ste. Marie Hospital for treatment; she was later given a medical certificate by the Country Hospital.

In the cross-examination by Mr. Hartopp, the complainant denied that she had worked herself up after learning that Mr. Keet had informed the French Police of her building alterations and that her report of an assault was an imaginary one. She strongly denied that she was an unpleasant neighbour with: "It isn't true, it's the other way around!"

Only one witness was brought up in court yesterday. Mrs. Palmer-Baker bringing forward her Chinese ayah to testify. Witness could throw little light on the assault as she heard only the altercation from inside the house and when she had come out saw only her mistress trying to close the gate on the defendant. Witness declared that she saw a black mark on her employer's face—but it was on the left side.

The case was adjourned at this point without the defendant having yet been called to give his evidence.